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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT *Ken* DEPUTY
SOUTHERN DISTRICT OF CALIFORNIA

June 2011 Grand Jury

1 UNITED STATES OF AMERICA,) Case No. 12CR0977-WQH
2)
3 Plaintiff,) I N D I C T M E N T
4) (Superseding)
5 v.)
6) Title 18, U.S.C., Sec. 2251(a),
7 BRANDON W. SCHROTH,) (c) and (e) - Sexual Exploitation
8) of a Child; Title 18, U.S.C.,
9 Defendant.) Sec. 2 - Aiding and Abetting;
10) Title 18, U.S.C., Sec. 2241(c) -
11) Aggravated Sexual Abuse of a
12) Child; Title 18, U.S.C.,
13) Sec. 2253(a)(3) - Criminal
14) Forfeiture

15 The grand jury charges:

16 Count 1

17 In or about and between December 18, 2010 and December 26, 2010,
18 within the Southern District of California and elsewhere, defendant
19 BRANDON W. SCHROTH did employ, use, persuade, induce, entice, and
20 coerce a minor to engage in, and had a minor assist any other person
21 to engage in, sexually explicit conduct outside the United States for
22 the purpose of producing a visual depiction of such conduct, to wit:
23 "1771edit.mp4", with the intent that such visual depiction be
24 transported to the United States by any means, including by using any
25 means or facility of interstate or foreign commerce or mail, and which
26 visual depiction was transported into the United States by any means
27 or facility of interstate or foreign commerce; in violation of
28 Title 18, United States Code, Sections 2251(c) and (e) and 2.

APS:nlv(1):San Diego
7/25/12

Count 2

In or about and between December 18, 2010 and December 26, 2010, within the Southern District of California and elsewhere, defendant BRANDON W. SCHROTH did employ, use, persuade, induce, entice, and coerce a minor to engage in, and had a minor assist any other person to engage in, sexually explicit conduct outside the United States for the purpose of producing a visual depiction of such conduct, to wit: "cum on cynthia butt.mov", with the intent that such visual depiction be transported to the United States by any means, including by using any means or facility of interstate or foreign commerce or mail, and which visual depiction was transported into the United States by any means or facility of interstate or foreign commerce; in violation of Title 18, United States Code, Sections 2251(c) and (e) and 2.

Count 3

In or about and between December 18, 2010 and December 26, 2010, within the Southern District of California and elsewhere, defendant BRANDON W. SCHROTH did employ, use, persuade, induce, entice, and coerce a minor to engage in, and had a minor assist any other person to engage in, sexually explicit conduct outside the United States for the purpose of producing a visual depiction of such conduct, to wit: "cynthia and cyan bath body wash.wmv", with the intent that such visual depiction be transported to the United States by any means, including by using any means or facility of interstate or foreign commerce or mail, and which visual depiction was transported into the United States by any means or facility of interstate or foreign commerce; in violation of Title 18, United States Code, Sections 2251(c) and (e) and 2.

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Count 4

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2 In or about and between December 18, 2010 and December 26, 2010,
3 within the Southern District of California and elsewhere, defendant
4 BRANDON W. SCHROTH did employ, use, persuade, induce, entice, and
5 coerce a minor to engage in, and had a minor assist any other person
6 to engage in, sexually explicit conduct outside the United States for
7 the purpose of producing a visual depiction of such conduct, to wit:
8 "MVI_0012.avi", with the intent that such visual depiction be
9 transported to the United States by any means, including by using any
10 means or facility of interstate or foreign commerce or mail, and which
11 visual depiction was transported into the United States by any means
12 or facility of interstate or foreign commerce; in violation of
13 Title 18, United States Code, Sections 2251(c) and (e) and 2.

Count 5

14
15 In or about and between December 18, 2010 and December 26, 2010,
16 within the Southern District of California and elsewhere, defendant
17 BRANDON W. SCHROTH did employ, use, persuade, induce, entice, and
18 coerce a minor to engage in, and had a minor assist any other person
19 to engage in, sexually explicit conduct outside the United States for
20 the purpose of producing a visual depiction of such conduct, to wit:
21 "MVI_1496.avi", with the intent that such visual depiction be
22 transported to the United States by any means, including by using any
23 means or facility of interstate or foreign commerce or mail, and which
24 visual depiction was transported into the United States by any means
25 or facility of interstate or foreign commerce; in violation of
26 Title 18, United States Code, Sections 2251(c) and (e) and 2.

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Count 6

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2 In or about and between December 18, 2010 and December 26, 2010,
3 within the Southern District of California and elsewhere, defendant
4 BRANDON W. SCHROTH did employ, use, persuade, induce, entice, and
5 coerce a minor to engage in, and had a minor assist any other person
6 to engage in, sexually explicit conduct outside the United States for
7 the purpose of producing a visual depiction of such conduct, to wit:
8 "MVI_1497.avi", with the intent that such visual depiction be
9 transported to the United States by any means, including by using any
10 means or facility of interstate or foreign commerce or mail, and which
11 visual depiction was transported into the United States by any means
12 or facility of interstate or foreign commerce; in violation of
13 Title 18, United States Code, Sections 2251(c) and (e) and 2.

Count 7

14
15 In or about and between December 18, 2010 and December 26, 2010,
16 within the Southern District of California and elsewhere, defendant
17 BRANDON W. SCHROTH did employ, use, persuade, induce, entice, and
18 coerce a minor to engage in, and had a minor assist any other person
19 to engage in, sexually explicit conduct outside the United States for
20 the purpose of producing a visual depiction of such conduct, to wit:
21 "MVI_1756.avi", with the intent that such visual depiction be
22 transported to the United States by any means, including by using any
23 means or facility of interstate or foreign commerce or mail, and which
24 visual depiction was transported into the United States by any means
25 or facility of interstate or foreign commerce; in violation of
26 Title 18, United States Code, Sections 2251(c) and (e) and 2.

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Count 8

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2 In or about and between December 26, 2010 and December 6, 2011,
3 within the Southern District of California, defendant BRANDON W.
4 SCHROTH did employ, use, persuade, induce, entice, and coerce a minor
5 to engage in, and had a minor assist any other person to engage in,
6 sexually explicit conduct for the purpose of producing a visual
7 depiction of such conduct, to wit: "100_0400.jpg", which visual
8 depiction was produced using materials that had been mailed, shipped,
9 and transported in interstate and foreign commerce by any means and
10 transported using any means or facility of interstate commerce and in
11 and affecting interstate and foreign commerce; in violation of
12 Title 18, United States Code, Sections 2251(a) and (e) and 2.

Count 9

13
14 In or about and between December 26, 2010 and December 6, 2011,
15 within the Southern District of California, defendant BRANDON W.
16 SCHROTH did employ, use, persuade, induce, entice, and coerce a minor
17 to engage in, and had a minor assist any other person to engage in,
18 sexually explicit conduct for the purpose of producing a visual
19 depiction of such conduct, to wit: "100_401.jpg", which visual
20 depiction was produced using materials that had been mailed, shipped,
21 and transported in interstate and foreign commerce by any means and
22 transported using any means or facility of interstate commerce and in
23 and affecting interstate and foreign commerce; in violation of
24 Title 18, United States Code, Sections 2251(a) and (e) and 2.

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Count 14

In or about and between December 18, 2010 and December 26, 2010, within the Southern District of California, and elsewhere, defendant BRANDON W. SCHROTH, did cross a State line with intent to engage in a sexual act (as defined in 18 U.S.C. §2246(2)) with a person who had not attained the age of 12 years, and knowingly engaged in a sexual act with another person who has not attained the age of 12 years, to wit: C.E.B. (age 11); in violation of Title 18, United States Code, Section 2241(c).

Count 15

In or about and between December 18, 2010 and December 26, 2010, within the Southern District of California, and elsewhere, defendant BRANDON W. SCHROTH, did cross a State line with intent to engage in a sexual act (as defined in 18 U.S.C. §2246(2)) with a person who had not attained the age of 12 years, and knowingly engaged in a sexual act with another person who has not attained the age of 12 years, to wit: C.M.B. (age 9); in violation of Title 18, United States Code, Section 2241(c).

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1 through 13 of this Superseding Indictment are realleged and by their reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 2253(a)(3).

2. Upon conviction of one or more of the offenses alleged in Counts 1 through 13, which involve violations of Title 18, United States Code, Sections 2251(a) and (c), defendant BRANDON W. SCHROTH, shall forfeit to the United States, pursuant to Title 18, United

1 States Code, Section 2253(a)(3) all right, title and interest in any
2 property, real or personal, used or intended to be used to commit or
3 to promote the commission of said offense, including but not limited
4 to the following personal property:

- 5 a. one Ball DVR camera;
- 6 b. one Canon Vixia HFM30, S/N 1620503207234E;
- 7 c. one Canon EOS DS126181, S/N 0770225823 and three
8 battery chargers;
- 9 d. one Canon Rebel T1I box and paperwork;
- 10 e. one SONY PSP, S/N AB001899110 PSP 2001;
- 11 f. 28 DVDs, 10 CDS;
- 12 g. one Cruzer Micro 1 GB thumbdrive;
- 13 h. one HP laptop, S/N CND9153BRS;
- 14 i. One WD external hard drive, S/N WCAV5493710;
- 15 j. one digital picture frame with memory card and memory
16 card S/N KCEJF839127354;
- 17 k. one Kodak Easyshare Digital Camera, S/N KCTNU11240065;
- 18 l. one HTC cell phone and micro SD card, S/N HT18WMA00953;
- 19 m. one Samsung 4G LTE Verizon Tablet 32 GN Model SCH1905,
20 S/N SCHI905UKV;
- 21 n. All images that depict, or attempt to depict, minors
22 engaged in sexually explicit conduct;

23 3. If any of the forfeitable property described above in
24 Paragraph 2, as a result of any act or omission of the defendant,

- 25 (a) cannot be located upon the exercise of due diligence;
- 26 (b) has been transferred or sold to, or deposited with, a
27 third party;

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1 (c) has been placed beyond the jurisdiction of the Court;
2 (d) has been substantially diminished in value; or
3 (e) has been commingled with other property which cannot
4 be subdivided without difficulty; it is the intent of the United
5 States, pursuant to Title 18, United States Code, Section 2253(o), to
6 seek forfeiture of any other property of the defendant up to the value
7 of the forfeitable property described above in Paragraph 2.
8 All pursuant to Title 18, United States Code, Sections 2253(a)(3).

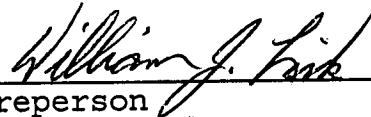
9 DATED: July 25, 2012.

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A TRUE BILL:

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Foreperson

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LAURA E. DUFFY
United States Attorney

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15 By:

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ALESSANDRA P. SERANO
Assistant U.S. Attorney

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